

STRUCTURAL DETAILS

(This section contains information for commercial AND residential permits. Complete all that apply.)

A. Structural Size

Length in feet X Width in feet _____
Number of stories above grade _____
Basement: Y / N
Crawlspace: Y / N
Slab: Y / N
Total Floor Area: _____
Structure Height: _____
Number of bedrooms: _____
Number of bathrooms: _____
Attached Garage: Y / N

B. Requested Permit

_____ One-family residential
_____ Two-family residential
_____ Multi-family residential
 (# of units: _____)
_____ Commercial
_____ Modular Home
_____ Mobile/Manufactured Home
 (prior BZA approval requ'd)
_____ Accessory structure
 (Garage, mini-barn etc)
_____ Remodel/Addition
_____ Roof only
_____ Siding/Outside Wall Covering only
_____ Electric Service Connection only
_____ Windows/Doors only

C. Principal Frame Type

_____ Masonry
_____ Wood Frame
_____ Structural steel
_____ Reinforced concrete
_____ Other (specify) _____

D. Utilities

City water: Y / N
City sewer: Y / N
Electric: Service amps: _____

E. HVAC

Heating	A/C
_____ Gas	_____ Central A/C
_____ Oil	_____ Indv'l room A/C
_____ Electric	
_____ Other (specify) _____	

F. Fire Suppression

_____ Sprinkler _____ None
_____ Other (specify) _____

G. Pool

_____ in-ground _____ above-ground
fencing height _____ and area _____ (required)

Instructions/Requirements

1. When requesting a building permit for new construction, home additions/renovation and any other outdoor structures, you must provide a site plan of the project that expresses the size and location of all structures, including the new project, complete with accurate measurements of the dimensions of the structures and measurements of all setbacks and also measurements of the entire parcel itself. In addition, the site plan should be oriented properly and include the closest street intersection with said streets properly labeled.
2. If your property is within a floodplain or flood fringe, the NFIP FIRM or FIRMette including your parcel must be provided.
3. Any and all state permits must be provided.
4. To allow time for review, the application and all documents should be submitted to this office at least two weeks before the start date of your project. This office is required to conduct a thorough review of your project before the building permit is issued.
5. Project must comply with all building and zoning ordinances currently in effect in the State of Indiana and in the City of Brazil. (local ordinances available upon request)

Definitions:

CLASS 1 STRUCTURE. Pursuant to I.C. 22-12-1-4 has the following definitions:

(1) Class 1 Structure means any part of the following:

(a) Building or structure that is intended to be or is occupied or otherwise used in any part by any of the following:

1. The public;
2. Three or more tenants; or
3. One or more persons who act as the employees of another.

(b) A site improvement affecting access by persons with physical disabilities to a building or structure described in subsection (a) above;

(c) Any class of buildings or structures that the Commission determines by rules to affect a building or structure described in subsection (a) above, except building or structures described in subsections (3) through (6) below;

(2) Subsection (1)(a) Includes a structure that contains 3 or more condominium units (as defined in I.C. 32-25-2-9) or other units that:

- (a) Are intended to be or are used or leased by the owner of the unit; and
- (b) Are not completely separated from each other by an unimproved space.

(3) Subsection (1)(a) does not include a building or structure that:

(a) Is intended to be or used only for an agricultural purpose on the land where it is located; and

(b) Is not used for retail trade or is a stand used for retail sales of farm produce for 8 or less consecutive months in a calendar year.

(4) Subsection (1)(a) above does not include a Class 2 structure.

(5) Subsection (1)(a) above does not include a vehicular bridge.

(6) Subsection (1)(a) above does not include a structure that is intended to be or is occupied solely to provide periodic maintenance or repair of:

- (a) The structure; or
- (b) Mechanical or electrical equipment located within and affixed to the structure.

(7) Pursuant to I.C. 22-12-1-24, structure includes swimming pool.

CLASS 2 STRUCTURE. Pursuant to I.C. 22-12-1-5, has the following definition:

(1) Any part of the following:

(a) A building or structure that is intended to contain or contains only 1 dwelling unit or 2 dwelling units unless any part of the building or structure is regularly used as a Class 1 structure;

(b) An outbuilding for a structure described in subsection (a), such as a garage, barn or family swimming pool, unless any part of the outbuilding is regularly used as a Class 1 structure.

(2) Subsection (1) does not include a vehicular bridge.

(3) Pursuant to I.C. 22-12-1-24, structure includes swimming pool.

CONSTRUCTION. Pursuant to I.C. 22-12-1-7, any of the following:

(1) Fabrication of any part of an industrialized building system or mobile structure for use at another site;

(2) Erection or assembly of any part of a Class 1 or Class 2 structure at the site where it will be used;

(3) Installation of any of the permanent heating, ventilating, air conditioning, electrical, plumbing, sanitary, emergency detection, emergency communication or fire or explosion suppression systems for a Class 1 or Class 2 structure at the site where it will be used;

(4) Work undertaken to alter, remodel, rehabilitate or add to any part of a Class 1 or Class 2 structure; and/or

(5) Work undertaken to relocate any part of a Class 1 or Class 2 structure, except a mobile structure.

§ 150.07 BUILDING PERMIT REQUIRED.

Construction is prohibited unless in conformity with a valid building permit obtained from the Planning Administrator prior to commencement of construction.

(Ord. 10-2005, passed 5-11-2005; Am. Ord. 5-2006, passed 2-15-2006) Penalty, see § 150.99

§ 150.08 APPLICATION FOR BUILDING PERMIT.

(A) Any person required to have a building permit shall submit a complete application to the Planning Administrator.

(B) This application shall be submitted on a form prepared by the Planning Administrator, and shall contain the following:

(1) Information that the Planning Administrator determines to be necessary to locate and contact the applicant.

(2) A clear and understandable copy of detailed plans and specifications drawn to scale which indicate in a precise manner the nature and location of all work to be accomplished.

(3) A plot plan drawn to scale; provided, however, such plot plan shall not be required in the instance where all such construction is to occur entirely within an existing structure. This plot plan shall reflect the location of the structure in relation to existing property lines and show streets, curbs and sidewalks and proposed changes or additions to such streets, curbs and sidewalks.

(4) If required by Indiana law or any rule of the Fire Prevention and Building Safety Commission, a copy of a design release for the work to be done that has been issued by the Building Law Compliance Officer pursuant to I.C. 22-15-3.

(5) Any additional information that the Planning Administrator finds to be necessary to determine that the construction will conform to all applicable building laws and will not violate any other applicable ordinances or laws.

(6) The fee established by § 150.22.

(C) Application for a building permit shall be made by the person entitled to obtain the permit or by an employee or agent of that person. The Planning Administrator may require that such an employee or agent provide written authority to apply for a permit.

(Ord. 10-2005, passed 5-11-2005; Am. Ord. 5-2006, passed 2-15-2006)

§ 150.09 REVIEW OF APPLICATION.

Prior to the issuance of any building permit, the Planning Administrator shall:

(A) Review all building permit applications to determine full compliance with the provisions of this subchapter.

(B) Review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding.

(C) Review building permit applications for major repairs within the flood plain area having special flood hazards to determine that the proposed repair:

(1) Uses construction materials and utility equipment that are resistant to flood damage; and

(2) Uses construction methods and practices that will minimize flood damage.

(D) Review building permit applications for new construction or substantial improvements within the flood plain area having special flood hazards to assure that the proposed construction (including manufactured homes) is protected from flood damage, is designed, modified, and

anchored to prevent flotation, collapse, or lateral movement of the structures, and uses construction methods and practices that will minimize flood damage.

(Ord. 10-2005, passed 5-11-2005; Am. Ord. 5-2006, passed 2-15-2006)

§ 150.10 ISSUANCE OF BUILDING PERMIT.

The Planning Administrator shall issue a building permit to a person after the person has submitted a complete application, including any applicable fee, provided that the proposed construction will conform to all applicable building laws and will not violate any other ordinances or laws.

(Ord. 10-2005, passed 5-11-2005; Am. Ord. 5-2006, passed 2-15-2006)

§ 150.22 FEES.

(A) The fees for permits required by § 150.07 of this chapter shall be paid to the Planning and Building Administrator who shall forthwith pay the same over to the Clerk-Treasurer of the City of Brazil, Indiana.

(B) The following fees shall be paid for the following designated categories:

- (1) For each application for an improvement location permit: a fee of \$10;
- (2) For each application for a certificate of occupancy: a fee of \$5;
- (3) For each application for building permit for all residences, garages and other buildings and structures and room additions:

Cost	Fee
\$500 to \$5,000	\$15
\$5,001 to \$10,000	\$20
\$10,001 to \$15,000	\$25
\$15,001 to \$20,000	\$30
\$20,001 to \$25,000	\$36
\$25,001 to \$30,000	\$42
\$30,001 to \$35,000	\$50
\$35,001 to \$40,000	\$60
\$40,001 to \$50,000	\$75
>\$50,000	\$1.50 per \$1,000 of cost

- (4) Manufactured home permit: a fee of \$75.

(Ord. 11-2005, passed 5-11-2005; Am. Ord. 10-2006, passed 3-28-2006) Penalty, see § 150.99

§ 150.99 PENALTY.

Any person violating any provision of this Building Code may be subject to a fine in any sum not exceeding \$2,500. The assessment of a monetary penalty shall in no way limit the operation of the penalties provided elsewhere in this Building Code.

(Ord. 10-2005, passed 5-11-2005; Am. Ord. 5-2006, passed 2-15-2006)

§ 156.021 REQUIREMENTS FOR AN IMPROVEMENT LOCATION PERMIT.

(A) Any person who shall make application for an improvement location permit shall, at the time of making that application, furnish a site plan or development plan of the real estate on which the application is made at least 5 days prior to the issuance of the improvement location permit. Five days may be waived by the Planning Administrator.

(B) The site plan shall be drawn to scale showing the following items, both existing and proposed:

- (1) Legal or site description of the real estate involved;
- (2) Location and size of all buildings and structures;
- (3) Width and length of all entrances and exists to and from the real estate; and
- (4) All adjacent and adjoining roads and highways.

(C) An application for an improvement location permit for any enclosed industrial use or open industrial use, subject to the provisions of this chapter and § 156.168, shall be accompanied by a certificate of compliance subscribed by a registered professional engineer or architect, certifying that the use intended will satisfy the standards of the enclosed industrial use or open industrial use, as the case may be, and in the district in which it is to be located.

(D) The Planning Administrator may take 10 days in which to study the application, during which time he or she may consult with appropriate technical consultants. If after the 10-day period, the Planning Administrator has not required any additional information or stated any objections in writing, the Planning Administrator shall issue the improvement location permit.

(E) Site plans or development plans so furnished shall be filed and shall become a permanent public record.

(1982 Code, § 156.28) (Ord. 12-1964, passed 8-11-1964)

§ 156.022 ISSUANCE OF IMPROVEMENT LOCATION PERMIT FOR SPECIAL EXCEPTIONS.

The Planning Administrator shall issue an improvement location permit for a special exception only following receipt of notice from the Board that the application therefor has been approved by the Board.

(1982 Code, § 156.28) (Ord. 12-1964, passed 8-11-1964)

§ 156.146 USE.

No building or land shall be used and no building shall be erected, reconstructed or structurally altered, which is arranged, intended or designed to be used for any purpose other than a use which is permitted and specified in a district in which the building or land is located.

(1982 Code, § 156.07) (Ord. 12-1964, passed 8-11-1964) Penalty, see § 156.999

§ 156.157 RESIDENTIAL USES AND REQUIREMENTS.

(A) The residential uses defined below, including accessory buildings and uses, are permitted in the districts indicated in § 156.164 when complying with the requirements listed therein, subject also to the provisions of division (B) herein.

(1) A single-family dwelling is a detached building designed for or occupied by 1 family, exclusively.

(2) A 2-family dwelling is a detached building designed for or occupied by 2 families, exclusively.

(3) A multi-family dwelling is a building designed for or occupied by 3 or more families, exclusively.

(B) Other provisions for residential uses are as follows.

(1) *Use of existing lots deficient in area or width.* A single-family dwelling may be located on any lot in any district in which single-family dwellings are permitted if the lot was a single parcel in single ownership or a single parcel separately described or included in a deed or plat which was of record in the office of the County Recorder at the time of passage of this chapter, even though the lot does not have the minimum lot width or the minimum lot area specified for the district.

(2) *Partial use of alley for yard.* One-half of an alley abutting the rear or the side of a lot may be included in the required rear yard or side yard, respectively.

(3) *Accessory building and uses.*

(a) Accessory buildings are permitted in all districts, but not prior to the erection of the principal building, except for strictly storage purposes; and not for human occupancy.

(b) No detached accessory building or swimming pool shall be located closer to a side or rear lot line than 5 feet; nor exceed 18 feet in height, and shall be set back at least 50 feet from the building line.

(c) Accessory uses such as public utility installations, walks, driveways, curbs, retaining walls, mail boxes, fences, lamp posts, bird baths and structures of a like nature are permitted in any required yard, and without the issuance of any permit. Fences, lattice work, screens, hedges or walls, not more than 7 feet in height, and fences surrounding private swimming pools at least 3-1/2 feet high, maintained so as to prevent the intrusion of small children or animals, may be located in the required side or rear yard; however, they shall be located no closer than 1 foot from the side or rear lot line. A hedge or fence maintained so as not to exceed 3-1/2 feet in height, may be located in any front yard, except that vision clearance on corner lots shall be provided and the hedge or fence shall be located no closer than 1 foot from a side lot line.

(Ord. 1-2005, passed 6-28-2005)

(4) *Building lines.*

(a) Where 25% or more of the lots in a block frontage are occupied by buildings the average setback of a buildings determines the location of the building line for the block frontage, but the front yard dimension need not exceed 40 feet in any case.

(b) Building lines established in a recorded subdivision shall establish the setback of buildings in subdivisions, except when building lines may be less restrictive than provided in this chapter.

(c) On through lots a building line is required on each street.

(5) *Tapered yard formula.* Where an interior lot fronts on a side street in the rear of a corner lot which interior lot may or may not be separated from the corner lot by an alley, an accessory building located on the rear lot line of the corner lot shall set back from the side street as far as the dwelling on the interior lot. For each foot that the accessory building is placed from the rear lot line toward the front lot line of the corner lot, the accessory building may be set 4 inches closer to the front lot line along the side street, but in no case closer than the building setback line along the side street required by this chapter.

(1982 Code, § 156.21) (Ord. 12-1964, passed 8-11-1964)

§ 156.164 RESIDENTIAL USES AND REQUIREMENTS.

Requirements	Type of Residential Use		
	Single-Family	2-Family	Multi-Family
District in which use is permitted	S, R-1, R-2, R-3, T, LB, GB, RB and IR	S, R-2, R-3, T, GB and IR	R-3, T and GB
Minimum lot size in square feet per dwelling unit in districts indicated	R-2, R-3, T, GB 5,000	R-2 3,500	R-3, T and G 1,500
	LB 7,000	GB 2,500	
Minimum lot size in square feet per dwelling unit in districts where the following utility systems are installed and utilized:	S, R-1, RB and IR 7,000	S and IR 7,000	-
(a) Approved sanitary system			
(b) Approved public or community water supply system			
In the absence or nonutilization of any of the above described utility systems, (a) and (b), add the following area in square feet per dwelling unit to the minimum lot size in districts indicated as follows.	S, R-1 and IR (a) 3,500 (b) 3,500	S, RB and I-2 (a) 1,750 (b) 1,750	-
Minimum lot width in feet in district indicated	R-2, R-3, T and GB 50	R-2, R-3, T, and GB 50	R-3, T and GB 50
	LB 60		
Minimum lot width in feet per dwelling unit in the districts indicated when the following utility systems are installed and utilized:	S, R-1, RB and IR 60	S and IR 45	-
(a) Approved sanitary sewer system			
(b) Approved public or community water supply system			
In the absence or nonutilization of any of the above described utility systems, (a) and (b), add the following width in feet per dwelling unit to the minimum lot width per dwelling unit in districts indicated as follows	S, R-1 and IR	S and IR	-
	(a) 15	(a) 7-1/2	
	(b) 15	(b) 7-1/2	

Maximum building height in feet and stories in districts indicated	S, R-1, RB and IR or 2 stories 25	S and IR or stories 25	R-3 and T or 2-1/2 stories 35
	R-2, R-3, T and GB or 2-1/2 stories 35	R-2, R-3, T and GB 35 or 2-1/2 stories	GB 80 or 7 stories
Minimum front yard in percent of average depth of lots in block	20	20	20
Minimum side yard (1)	10% of the required lot width	10% of the required minimum lot width	10% of the required minimum lot width
Minimum side yards (both or 2) in percent of lot width	20	20	20
Minimum rear yard in feet	20	20	20
(Minimum ground floor area in square feet in districts indicated)	1 story R-2, R-3, T and GB 720	1 story S and IR 1,200	R-3, T and GB 720
	S, R-1, LB, RB and IR 846	R-2, R-3, T and GB 720	
Number of vehicle parking space to be provided on the lot	1	2	1 per each dwelling unit
Vision clearance on corner lot	Yes	Yes	Yes

(1982 Code, Appendix A) (Ord. 12-1964, passed 8-11-1964)

§ 156.165 BUSINESS USES AND REQUIREMENTS.

Requirements	Type of Business Use		
	Local Business	General Business	Roadside Business
Districts in which use is permitted	LB, T, GB, RB, and I-1	GB, RB, and I	RB
Minimum front yard in feet in districts indicated	T 25	GB None	RB 75
	LB and I-1 15	RB 75	
	GB None	I-1 15	
	RB 75		
Minimum side yard in feet along the side street line of a corner lot where block is adjoined by a Residential District	LB, T, GB and I-1 5	GB and I-1 5	RB 10
	RB 10	RB 10	
Minimum side yard in feet where a Business District adjoins a Residential District within the block	LB, GB and I-1 5	GB and I-1 5	RB 10
	RB 10	RB 10	
Minimum side yard in blocks not including a Residential District	LB, GB and I-1 none	GB and I-1 none	RB 5
	T and RB 5	RB 5	
Maximum building height in feet in districts indicated	LB, T, RB and I-1 35 or 2-1/2 stories	GB and I-1 100 or 8 stories	RB 35-1/2 stories
	GB or 8 stories 100	RB 35 or 2-1/2 stories	
Minimum rear yard in feet	GB 10	GB and I 10	RB 15
	LB, T, RB and I-1 15	RB 15	
Vision clearance on corner lots	LB, T and RB Yes	RB Yes	RB Yes
	GB and I-1 No	GB and I-1 No	

(1982 e, Appendix B) (Ord. 12-1964, passed 8-11-1964)